



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Baker Jr.**
Serial No.: **09/751,059** Group No.: **1618**
Filed: **12/29/2000** Examiner: **B. Fubara**
Entitled: **Antimicrobial Compositions and Methods of Use**

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT TRANSMITTAL**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: April 18, 2007

By: 

Mary Ellen Waite

Sir or Madam:

Enclosed please find a Supplemental Information Disclosure Statement and Form PTO-1449, including references, in the above-identified application, for filing in the U.S. Patent Office.

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: April 18, 2007


Tyler J. Sisk
Registration No. 59,850

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608/218-6900

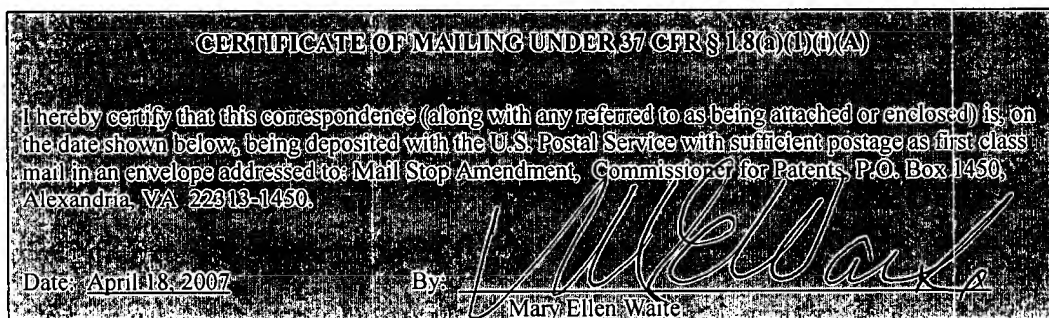


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Alexandria, VA 22313-1450



Sir or Madam:

The citations listed below may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

- U.S. Patent No. 4,262,007
- U.S. Patent No. 5,902,227 A
- U.S. Patent No. 6,147,047 A
- U.S. Patent No. 6,165,500 A
- U.S. Patent No. 6,299,884 B1


- U.S. Patent No. 6,337,324 B1
- U.S. Patent No. 6,348,503 B1
- U.S. Patent No. 6,355,229 B1
- U.S. Patent No. 6,391,288 B1
- U.S. Patent No. 6,440,429 B1
- U.S. Patent No. 2002/0155084 A1
- U.S. Patent No. 2003/0171344 A1
- U.S. Patent No. 2003/0175221 A1
- U.S. Patent No. 2004/0258701 A1
- U.S. Patent No. 2005/0013868 A1
- U.S. Patent No. 2005/0196416 A1
- U.S. Patent No. 2006/0100288 A1
- U.S. Patent No. 2006/0110415 A1
- U.S. Patent No. 6,667,276 B1
- U.S. Patent No. 6,720,001 B2
- U.S. Patent No. 6,761,914 B2
- U.S. Patent No. 6,793,929 B2
- U.S. Patent No. 6,797,685 B2
- U.S. Patent No. 6,790,435
- U.S. Patent No. RE 39,264
- WO 94/26252 A1
- DE 199 18 324 A1
- EP 0 278 996 A1
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- WO 96/23409 A1
- WO 00/64429 A1
- WO 01/91728 A2

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- EP761202B
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- Tarbox et al., Benzalkonium chloride; Clinical Orthopaedics and Related Research, 346:255-261 1998
- Tevi-Benissan et al., Protection of Cynomolgus Macaque Against Cervicovaginal Transmission of SIVmac251 by the Spermicide Benzalkonium Chloride; Journal of Acquired Immune Deficiency Syndromes, 24:147-153 2000
- Wadhams et al., Efficacy of a Surfactant Allantoin and Benzalkonium Chloride Solution for Onychomycosis; Journal of the American Podiatric Medical Association 89:126-130
- Wainberg et al., Effect of Benzokonium Chloride on HIV and Related Infection on other Infectious Agents; Arch. AIDS Res., 1:57-68 1987
- Tevi-Benissan et al., Protection of Cynomolgus Macaque Against Cervicovaginal Transmission of SIVmac251 by the Spermicide Benzalkonium Chloride; Journal of Acquired Immune Deficiency Syndromes, 24:147-153 2000

This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: 04/18/07


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APR 23 2007

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

Application Number	09/751,059
Filing Date	12/29/2000
First Named Inventor	Baker
Art Unit	1618
Examiner Name	B. Fubara
Attorney Docket Number	UM-04491

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 4,262,007	04/14/1981	Sherrill, George F.	Whole Document
	2	US- 5,902,227 A	05/11/1999	Rivas, Hercillo	Whole Document
	3	US- 6,113,921 A	09/05/2000	Friedman et al.	Whole Document
	4	US- 6,147,047 A	11/14/2000	Robbins et al.	Whole Document
	5	US- 6,165,500 A	12/26/2000	Cevc, Gregor	Whole Document
	6	US- 6,299,884 B1	10/09/2001	Van Nest et al.	Whole Document
	7	US- 6,337,324 B1	01/08/2002	Harmenberg et al.	Whole Document
	8	US- 6,348,503 B1	02/19/2002	Squires, Meryl	Whole Document
	9	US- 6,355,229 B1	03/12/2002	Adamy, Steven T.	Whole Document
	10	US- 6,391,288 B1	05/21/2002	Miyazawa et al.	Whole Document
	11	US- 6,440,429 B1	08/27/2002	Torizuka et al.	Whole Document
	12	US- 2002/0155084 A1	10/24/2002	Roessler et al.	Whole Document
	13	US- 2003/0171344 A1	09/11/2003	Lekare, Gunilla	Whole Document
	14	US- 2003/0175221 A1	09/18/2003	Gers-Barlag et al.	Whole Document
	15	US- 2004/0258701 A1	12/23/2004	Dominowski et al.	Whole Document
	16	US- 2005/0013868 A1	01/20/2005	Brynjelsen et al.	Whole Document
	17	US- 2005/0196416 A1	09/08/2005	Kipp et al.	Whole Document
	18	US- 2006/0100288 A1	05/11/2006	Bague et al.	Whole Document
	19	US- 2006/0110415 A1	05/25/2006	Gupta, Shyam K.	Whole Document

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	20	WO 94/26252 A1	11/24/1994	Pharmos Corporation	Whole Document	
	21	DE 199 18 324 A1	10/26/2000	Maiwald GmbH	Whole Document	
	22	EP 0 278 996 A1	08/24/1988	IBM Deutschland GmbH	Whole Document	
	23	EP 0 832 649 A1	04/01/1998	Taisho Pharmaceuticals Co. Ltd.	Whole Document	
	24	EP 1 655 021 A1	05/10/2006	Novagali Pharma SA	Whole Document	

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/751,059
Filing Date	12/29/2000
First Named Inventor	Baker
Art Unit	1618
Examiner Name	B. Fubara
Attorney Docket Number	UM-04491

Sheet **2** of **4****U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	25	US- 6,667,276 B1	12/23/2003	Maier et al.	Whole Document
	26	US- 6,720,001 B2	04/13/2004	Chen et al.	Whole Document
	27	US- 6,761,914 B2	07/13/2007	Deckers et al.	Whole Document
	28	US- 6,793,929 B2	09/21/2007	Bleckmann et al.	Whole Document
	29	US- 6,797,685 B2	09/28/2004	Zhu et al.	Whole Document
	30	US- 6,790,435	09/14/2004	Ma et al.	Whole Document
	31	US- RE 39,264	09/05/2006	Harmenberg et al.	Whole Document
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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	32	WO 96/23409 A1	08/08/1996	Novavax, Inc.	Whole Document	
	33	WO 00/64429 A1	11/02/2000	Pharm. Fabrik GmbH	Whole Document	
	34	WO 01/91728 A2	12/06/2001	Regents of the University of Michigan	Whole Document	
	35	WO 02/080864 A1	10/17/2002	Color Access, Inc.	Whole Document	
	36	WO 2006/035416 A2	04/06/2006	Sigmoid Biotechnologies Limited	Whole Document	
	37	EP761202B	06/23/1999	Kao Corporation	Whole Document	

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	38	EP806894B	06/19/2002	NOVAVAX, INC.	Whole Document	
	39	EP1561457A	01/26/2005	Alberto-Culver Co.	Whole Document	

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		First Named Inventor	Baker
		Art Unit	1618
		Examiner Name	B. Fubara
Sheet 4	of 4	Attorney Docket Number UM-04491	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	40	Tarbox et al., Benzalkonium chloride; Clinical Orthopaedics and Related Research, 346:255-261 1998	
	41	Tevi-Benissan et al., Protection of Cynomolgus Macaque Against Cervicovaginal Transmission of SIVmac251 by the Spermicide Benzalkonium Chloride; Journal of Acquired Immune Deficiency Syndromes, 24:147-153 2000	
	42	Wadhams et al., Efficacy of a Surfactant Allantoin and Benzalkonium Chloride Solution for Onychomycosis; Journal of the American Podiatric Medical Association 89:126-130	
	43	Wainberg et al., Effect of Benzokonium Chloride on HIV and Related Infection on other Infectious Agents; Arch. AIDS Res., 1:57-68 1987	

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